

EXHIBIT 4

CLARK COUNTY SHERIFF'S OFFICE, WASHINGTON
UTILITY REPORT

CASE #84-8506

SUPPLEMENTAL RPT

FIRST DEGREE STATUTORY RAPE

LOCATION OF INCIDENT: 17681 NE Lucia Falls Road

Yacolt, Washington

DATE OF INCIDENT: Refer to Summary

DATE & TIME: 02-28-85 1506 hours

LOCATION: NE 16th Avenue, north of 134th Street
Vancouver, Washington

INCIDENT: Warrant Arrest/Information on
Suspect Interview

SUSPECT: SPENCER, Clyde Ray dob: 01-09-48

aka: Ray SPENCER

17681 NE Lucia Falls Road

Yacolt, Washington phone: 687-1407

VICTIM: HANSEN, Matthew Alan Charles dob: 02-20-80

17681 NE Lucia Falls Road

Yacolt, Washington phone: 687-1407

DOCUMENTS ATTACHED: #1 - Advice of Rights form signed by Ray SPENCER
#2 - Copy of warrant affidavit
#3 - Copy of pre-booking information report
#4 - Copy of warrant service slip

SUMMARY:

On February 28, 1985 during an interview with the above listed victim, Matthew HANSEN, Matt indicated that he had been sexually involved with his step-father, Clyde Ray SPENCER, on a number of occasions with the last incident occurring on February 16, 1985 while Ray SPENCER was residing at the Salmon Creek Motel located on Highway 99 in Clark County.

Based on the information obtained during my interview with Matt HANSEN I made contact with the Clark County Prosecutor's Office and obtained an arrest warrant for Clyde Ray SPENCER, charging him with three counts of First Degree Statutory Rape based on alleged sexual contacts between Ray SPENCER and his step-son, Matt HANSEN.

On the afternoon of February 18, 1985 a number of Clark County deputies and I were responding to 1501 Knowles Drive in an attempt to serve the warrant on Clyde Ray SPENCER when Deputy Gary LENTZ made contact with Ray SPENCER, who was on foot on NE 16th Avenue just north of 134th Street. At the time Deputy LENTZ went out with SPENCER we were not able to ascertain what he had said on the radio; therefore, when Deputy LENTZ did advise us he had SPENCER in custody, Sgt. Mike DAVIDSON and I made contact with Deputy LENTZ and SPENCER at their location. At that time Detective Sgt. DAVIDSON served Ray SPENCER with Clark County Superior Court warrant #85-1-0007-2, charging him with the three additional counts of statutory rape in the first degree with a bail of \$100,000 (one hundred thousand dollars). Immediately after Sgt. DAVIDSON advised Ray SPENCER that he was being arrested on three new counts of statutory rape with a bail being \$100,000 SPENCER stated, "May I ask who the victims are?" Sgt. DAVIDSON advised SPENCER that the warrant was issued based on statements made by "Little Matt" (Ray SPENCER has a natural son who is also named Matthew and it has been a common practice in his family for them to refer to SPENCER's natural son as Big Matt and Shirley SPENCER'S son as Little Matt).

After SPENCER was served with the warrant he was placed in Deputy LENTZ' patrol vehicle and transported to the Clark County Sheriff's Office. When we arrived at the Sheriff's Office SPENCER was escorted into the detective unit for the purpose of our attempting to interview him regarding the allegations that Matt HANSEN was making.

Prior to discussing any of the specifics regarding what Matt HANSEN had said, Sgt. DAVIDSON advised SPENCER of the Miranda Warnings

which SPENCER indicated he understood, had no questions about and at that point he indicated he was willing to talk with us. At one point Sgt. DAVIDSON indicated that he was aware that Vancouver attorney Jim RULLI was representing SPENCER in previous charges involving allegations of sexual contact between Ray SPENCER'S natural daughter, Kathryn, age five years, and Ray SPENCER during the summer months of 1984. Sgt. DAVIDSON indicated to Ray SPENCER that he obviously was aware that he had a right to contact his attorney and probably the attorney would advise him not to talk with us. SPENCER responded, "Screw RULLI." He then indicated that he did not mean that the way it sounded; he wanted us to understand that he was willing to talk with us because "he wanted to get this straightened out."

At no time during the time when we talked to Ray SPENCER did he deny that he had done anything to Matt HANSEN or his two children. When I initially advised SPENCER of the allegations that Matt HANSEN had made regarding him (Matt) being molested and also that Matt was indicating that he had observed SPENCER sexually involved with his natural son, Matthew SPENCER, and daughter, Kathryn SPENCER, SPENCER stated, "Could I have done this and not remember it? My God, why can't I remember?" I then advised SPENCER that I felt if he had done it he would remember and he stated, "As God is my witness, I can't remember." SPENCER continued to make statements during the interview indicating that he "just couldn't remember."

At one point SPENCER stated, "I must have done it if Little Matt said I did; this can't be my ex-wife this time." During the initial investigation regarding SPENCER'S natural daughter, SPENCER was alleging that his ex-wife, Deanne SPENCER, had "put her daughter up to saying something had happened."

We talked with SPENCER about the alleged incident that occurred on February 16, 1985 while SPENCER was residing at the Salmon Creek Motel. I advised SPENCER that Matt was telling us that last time Ray had done anything to him occurred during the evening hours when he spent the night with Ray SPENCER at the motel. SPENCER again alleged that he "couldn't remember what happened and just didn't understand why he couldn't remember." SPENCER then stated, "Fuck, I must be crazy; why can't I remember? God, what will help me remember?" I asked SPENCER what he could remember about that evening and he

stated that he remembered "that he ran a bath for Matt because Matt's head was dirty and that he took tops off of the spray cans, etc. and gave them to Little Matt to play with in the bath tub." SPENCER then indicated that "Matt fell asleep so he stayed up and watched TV for an hour or so." I asked SPENCER if he could remember what Little Matt wore to bed and he advised that Little Matt wore one of his (SPENCER) T-shirts and his own underwear because he did not have any PJ's with him.

I asked SPENCER if he had had anything to drink that evening and he stated, "I might'a had a couple of beers but that's all because Shirley was getting after me for drinking so much."

We talked with SPENCER some more about the allegations that Little Matt was making and I asked SPENCER if he had any explanation as to why Matt would be saying what he was if it wasn't true, and SPENCER stated, "Well, it must be. I just don't understand why I can't remember it."

During the time we spent with SPENCER several times he indicated that he felt if "he could see a therapist maybe the therapist could help him remember." SPENCER also asked, "Could I see a counselor? Maybe they could help me remember."

We also talked about the seriousness of the charges which could result in SPENCER being sentenced to prison and he acknowledged that he did understand that, and stated, "I know I have to admit before I can ever get any help." We also advised SPENCER that even if he were to admit, the judge would ultimately decide what his sentence would be.

During the time we were with Ray SPENCER I advised him specifically as to the allegations Little Matt was making and also what Matt had said reference Ray SPENCER being sexually involved with his own children and the fact that Little Matt had witnessed it. Again, SPENCER was not denying that any of those things had occurred, he just continued to indicate that he could not remember and could not understand why he couldn't.

There have been some concerns during this investigation, based on statements made by Diane and Shirley SPENCER, that possibly Ray SPENCER had herpes. When we asked SPENCER if he had herpes he stated, "No, just asking my family doctor he's never created me for herpes." Detective Sgt. DAVIDSON advised SPENCER that they both knew he could use a fictitious name and be

visited by another physician besides his family doctor. SPENCER indicated again this far as he knew he didn't have herpes."

During our conversation with SPENCER he discussed taking the polygraph exam during the initial part of the investigation. He and Sgt. DAVIDSON discussed the polygraph for several minutes. (Sgt. DAVIDSON is the polygraph operator for the Clark County Sheriff's Office.) SPENCER indicated that "he had read some articles since his polygraph test and he knew 1 out of 100 people would react to the examination regardless of whether they were guilty or not."

SPENCER indicated that initially he was prepared "to go the whole way with this because he believed wholeheartedly that he had not done anything to Kathryn."

Kathryn also advised us "that if he had really done all of these things his wife says to Little Matt he didn't want out of jail." I indicated to SPENCER that "his wife wasn't saying these things had happened, Little Matt and Kathryn were."

After our interview with SPENCER he was escorted upstairs to the Clark County jail where he was booked on the three additional charge of First Degree Statutory Rape.

This investigation is pending.

INTERROGATION; ADVICE OF RIGHTS

YOUR RIGHTS

Place C.C.S.O.
Date 2.28.85.
Time 3:30

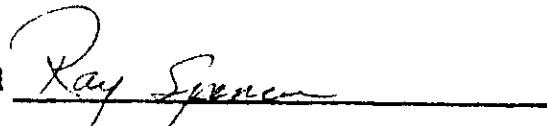
Before we ask you any questions, you must understand your rights.

- ✓ You have the right to remain silent.
- ✓ Anything you say can be used against you in court.
- ✓ You have the right to talk to a lawyer for advice before we ask you any questions and to have him with you during questioning.
- If you cannot afford a lawyer, one will be appointed for you before any questioning if you wish.
- If you decide to answer questions now without a lawyer present, you will still have the right to stop answering at any time. You also have the right to stop answering at any time until you talk to a lawyer.

WAIVER OF RIGHTS

I have read this statement of my rights and I understand what my rights are. I am willing to make a statement and answer questions. I do not want a lawyer at this time. I understand and know what I am doing. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Signed

Ray Spear

Witness: J Michael Dulin

Witness: _____

Time: 3:30 P.M.